



**Peter M. Rooney**  
Secretary for  
Environmental  
Protection

# State Water Resources Control Board

**John P. Caffrey, Chairman**

## Executive Office

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**Pete Wilson**  
Governor

**TO:** Distribution List

**FROM:** Walt Pettit  
Executive Director  
**EXECUTIVE OFFICE**

**DATE:**

**SUBJECT: AGENCY COORDINATION FOR THE FEDERAL COASTAL ZONE ACT  
REAUTHORIZATION AMENDMENTS (CZARA) IN CALIFORNIA**

The State Water Resources Control Board (SWRCB) and the California Coastal Commission (CCC) are currently working together to improve California's Nonpoint Source (NPS) Program for the protection of water quality and to comply with requirements of CZARA. Examples of NPS pollution are runoff from abandoned mines or agricultural fields or sediment generated by streambank erosion. We have identified that your agency has authorities and programs that are critical to addressing NPS pollution. Therefore, we are writing to request your assistance in implementing and improving the State's NPS Program.

Degradation of water resources from NPS pollution is considered to be the leading cause of water quality impairments nationally, as well as in California. Most NPS problems are related to land use practices. Therefore, to address these problems, various State, Federal, and local agencies, as well as landowners and nongovernmental groups, are involved with many efforts to reduce and prevent NPS pollution. These efforts are often supported and coordinated through the State's NPS Program under the SWRCB and Regional Water Quality Control Boards.

The California NPS Program was established over ten years ago in response to the requirements of Section 319 of the Federal Clean Water Act. The goal of current efforts is to ensure that the State's Program effectively addresses NPSs affecting coastal waters as required by Section 6217 of the CZARA of 1990 (Attachment 1). Members of your agency most likely had a role in the State's initial response to CZARA which was submitted to the U.S. Environmental Protection Agency (U.S. EPA) and the National Oceanic and Atmospheric Administration (NOAA) in September 1995. CZARA requires California to "develop and implement management measures for NPS pollution to restore and protect coastal waters ..." More recently, the President's Clean Water Action Plan called on all states to upgrade their NPS Program in order to be eligible for possible additional funding in Federal Fiscal Year 1999 and beyond to address NPS problems. Therefore, we are working to upgrade the statewide NPS Program and to comply with CZARA.

***California Environmental Protection Agency***

In order to comply with CZARA, the State needs to address specific conditions as described in the attached June 30, 1998 letter and "Findings Document" (Attachment 2) that was recently submitted to SWRCB and CCC by U.S. EPA and NOAA. The main activities to be accomplished include the preparation of:

1. A Management Measure Review (MMR) Document
2. An overall 15-year implementation strategy
3. A five-year implementation plan.

These activities are scheduled to be completed by December 31, 1998. We are requesting your assistance in preparing these products in order that our compliance with CZARA is truly a multiagency, statewide effort.

The immediate task at hand is to determine: (a) if the 56 management measures required by CZARA (Attachment 3) are appropriate for California and are being addressed under existing State agencies' authorities and programs, and (b) whether additional management measures are needed to meet unique problems or needs in California. During our initial review, we determined your agency has authorities and programs related to implementation of some of these management measures, most of which are being addressed by existing programs and authorities. In order to confirm this, we are requesting your assistance in the following ways:

1. Designate a member of your staff to serve as a contact person for matters pertaining to compliance with CZARA and upgrading of the State NPS Program. Soon after receiving this letter, please have your contact person telephone us for a brief meeting with our staff (listed below) to thoroughly explain our request for assistance.
2. Subsequent to that meeting, please review the management measures identified in the matrix "Implementing Agencies For CZARA Management Measures" in the attached Management Measure Review (MMR) Document titled "Management Measures to Address Sources of Nonpoint Pollution Affecting California Waters" (Attachment 4).

The MMR Document contains the management measures that we have identified as being appropriate for use in California. Each management measure is described, and a list of primary authorities and programs are identified which are available to implement each measure and its associated components in California. Listed at the end of each section are back-up authorities for management measures and explanatory notes.

A suggested approach for this review would be to: (a) look in Attachment 4 at the matrix titled "Implementing Agencies for CZARA Management Measures" to find your agency and the designated management measures for your review, (b) look in the document at the management measures and determine if they are appropriate for California or if you would

like to propose different language, (c) observe the authorities and programs listed for your agency under each management measure and confirm that they are correct and if the programs address the management measure, and (d) determine if the programs are being implemented and where in the State they are being implemented. At this time, we do not expect a written review, nor do we anticipate that your efforts in this exercise will present a heavy workload to your staff.

Specifically, we would like to know from your review, do you agree that the specific management measures are appropriate for California, or would you like to propose equally protective alternative language or measures, and are the authorities and programs listed for your agency correct.

3. Determine for your agency if: (a) you are willing to use your authorities to lead in management measure implementation or support their implementation; (b) there are other management measures you should be involved with; (c) you are willing to commit to some ongoing coordination; and (d) you can commit to implementation actions over the next five- to 15-year time frame.

After your review, we would like to meet again with your contact person(s) to discuss your agency's review of the management measures and your role in the NPS Program and how we can work together to achieve an approvable statewide program.

Finding solutions to NPS pollution poses unique challenges. While increased use of existing regulatory authorities can help us address certain categories of NPS pollution (such as the relatively recent effort to permit the most significant municipal storm water discharges), it is widely recognized that to effectively address NPS pollution we will need to rely on a wide range of tools, activities, and authorities. In particular, these efforts need to focus on better integration and coordination at the State level and collaborative approaches to establish ongoing community-based stewardship. We ask that you join us in this important effort.

We appreciate your participation and support in this effort. Please have your designated staff contact Janet Blake of SWRCB at 916/657-1033 or Cy Oggins of CCC at 415/904-5249 by September 28, 1998 to schedule a time to meet in October 1998. If you have any questions or would like to discuss this matter, please contact me at 916/657-0941. For specific questions related to the MMR Document review or the CZARA program, your staff should contact Janet Blake or Cy Oggins.

Attachments (4)

cc: See next page

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